

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

Brian A. Mokricky

Plaintiff

v.

Myra L. Mokricky

Defendant

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Case No.: 10-C-17-002277

MOTION TO DISMISS

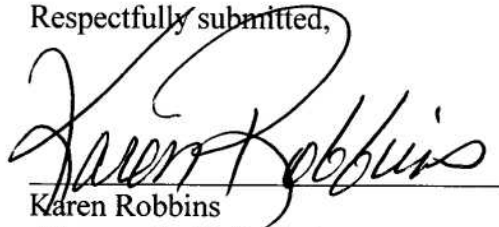
The Defendant, Myra Mokricky, through undersigned counsel, moves this Court to Dismiss Plaintiff's Complaint For Absolute Divorce, and in support states as follows:

1. Plaintiff filed a Complaint For Absolute Divorce that was issued with a Writ of Summons by this Court on or about September 6, 2017.
2. Pursuant to Maryland Rule 9-202(f), if the establishment or modification of child support is at issue, the requesting party shall file, with his first pleading requesting establishment or modification, a financial statement under affidavit. No such financial statement was filed by the Plaintiff.
3. The Rules of Procedure adopted by the Court of Appeals, "are not guides to the practice of law, but precise rubrics established to promote the orderly and efficient administration of justice and [that they] are to be read and followed." Countess v. State, 286 Md. 444, 463 (1979), quoting from earlier cases. It has also been made clear that when such a rule says that something "shall" be done, the Court jolly-well means for it to be done; the direction is a "mandatory" one and must be

obeyed. Quoting from People's Counsel v. Pub Serve Commission, 52 Md. App.
715.

WHEREFORE, Defendant requests that Plaintiff's Complaint be
dismissed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Karen Robbins", written over a horizontal line.

Karen Robbins

Attorney for Defendant

129-12 W. Patrick Street

Frederick, MD 21701

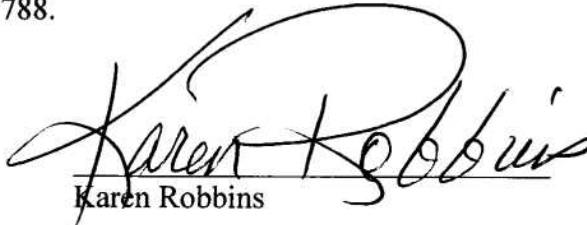
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Familylawmd@aol.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion to Dismiss was mailed, by first class mail, postage prepaid, this 15th day of November, 2017 to: Brian A. Mokricky, Plaintiff, 509 E. Main Street, Thurmont, MD 21788.

A handwritten signature in cursive script, reading "Karen Robbins", written over a horizontal line.

Karen Robbins